

JIM NEWBERRY

2139 EAST PRIMROSE, SUITE E
SPRINGFIELD, MISSOURI 65804

January 3, 2005

Jeff S. Jordan
Supervisory Attorney
Complaints Examination & Legal Administration
Office of the General Counsel
Federal Elections Commission
999 E Street, NW
Washington D.C.

Re: MUR #5629

Dear Mr. Jordan:

This is intended to be my response to your letter of December 23, 2004 and to the complaint enclosed therewith. If I am not directing my response to the proper person, please either forward it to the proper person, or let me know the name and address of the person to whom I should direct my response.

I was a first-time, (and probably last-time), candidate for public office. I didn't and don't have ready access to the Code of Federal Regulations and did not receive a copy "Federal Election Campaign Laws" book from the Commission until October 28, 2004.

Before the ads described in the complaint were produced, I consulted both the advertising agency that produced the ads, and the local network outlets that actually ran them. In both cases, I was assured that the disclosure requirements were well known to them and would be carefully followed. In fact, one of the outlets wouldn't accept the ads until the font size of the disclosure was changed, but made no criticism of the content.

Since I thought I had been careful to be in compliance with the law, the complaint I received came as quite a surprise to me. Assuming that the complaint correctly quotes 11 C.F.R. § 110.11(c)(3), it appears that the ads that were run may not have been in literal compliance with the regulation, though the written statement "paid for by Newberry for Congress" is similar in tenor to the oral "I approved this message" and probably was taken by the average viewer to be a written expression of my approval of the ad.

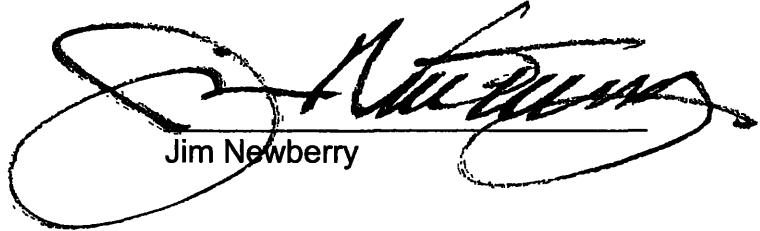
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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2005 JAN 10 A 10:32

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Please let me know what else I need to do to accomplish that end.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Newberry", written over a horizontal line. The signature is stylized with large loops and flourishes.

Jim Newberry

27044164004